




## **DIVISION OF THE STATE ARCHITECT ADVISORY BOARD REVIEW PROCEDURES**

### **1. Law**

- (a) The Division of the State Architect Advisory Board (Board) shall act as a board of review in matters relating to building projects under the jurisdiction of the Division of the State Architect (DSA) relating to decisions DSA renders in the enforcement of building standards for the design, construction, or alteration of specific public building projects. This may include: structural safety, fire and life safety, alternate means of protection determinations and matters involving accessibility requirements. 

### **2. Parameters of Reviews**

- (a) In the event satisfaction has not been reached through DSA's Rapid Interpretation Process #05-03 (RIP), a application for review may be entered by entities submitting building projects for DSA review, hereafter known as the applicant to the Board.
- (b) In order to request a review from the Board, applicants shall exhaust all levels of review stated in the RIP. 
- (c) To be considered, a review shall be filed within three months of a decision rendered by the Code Interpretation Committee as established through the RIP.
- (d) Material presented to the Board for review shall include only material submitted through the RIP by the applicant, materials and references used by DSA staff to arrive at a decision, and the decision rendered. 


### **3. Application for Review**

- (a) An applicant may submit a written request for the Board to review the decision in question to the attention of the Executive Director of the Board addressed to:


Division of the State Architect Advisory Board  
1102 Q Street, Suite 5100

Sacramento, CA 95814

#### **4. Process for Review**

- (a) Within ten days of receipt of a written request for review, the Board's Executive Director shall coordinate with the Chair and Members, and provide the applicant with notice of the date, time and place where the review will take place. The Board's review shall take place no later than thirty working days from date the written request was received and be conducted in the form of an ad hoc committee or full Board as determined by the Board's Chair.
- (b) The Board's Chair or their designee shall conduct the review process in accordance with the Board's operating procedures. Parties to the review may include the applicant or their designated representative(s) and DSA's Code Interpretation Committee Chair or their representative(s). Applicant's who wish to designate a representative shall submit a letter stating the name of the official designee that will represent them.
- (c) The purpose of the Board's review shall be to discuss the decision rendered by the RIP with the intent to resolve the issue. New evidence may not be introduced.
- (d) The Board may request additional findings of fact, supporting documents, evidence, or exhibits they deem necessary during the review process to arrive at a conclusion. Reasonable time requested by the applicant or DSA staff to provide the additional evidence shall be provided as determined by the Board. 

#### **5. Decision of the Review**

- (a) Resolution shall include an action to advise the State Architect to affirm, reverse, amend the original decision rendered, or remand the issue for further study. 
- (b) If the Board does not remand the issue for further study, the State Architect shall consider the Board's resolution and either confirm, modify or reverse the Board's decision. The State Architect's decision shall be rendered within fifteen working days of the Board's resolution and the decision shall constitute the Department of General

Services' final determination.



- (c) During the course of the review, should the Board identify a problem with a code, regulation, or practice of DSA, a recommendation may be made to the State Architect for amendment or change consideration.

## **6. Remand of Issue**

- (a) If the Board remands all or a portion of the issues for further study, the Board shall specify the issues or matters to be studied, and propose completion dates for such further study.
- (b) Findings and recommendations from further study will be transmitted to all parties to the action prior to the Board's public hearing for decision.
- (c) Within 30 days of receipt of the findings and recommendations from further study of the issues, the Board shall convene a public hearing to consider the findings, recommendations and arguments from the applicant. The decision of the Board shall be transmitted as indicated in 5(a) through 5(c).

## **7. Rights of the Applicant.**

- (a) The applicant shall have the right to question potential conflicts of interest of any member of the Board or Ad hoc Committee of the Board reviewing a decision rendered by DSA staff. The presiding Chair will rule on such potential conflict and the ruling shall be entered in the record.
- (b) Should the applicant not be satisfied with the decision recommended by the Board or the final decision rendered by the State Architect, they may appeal to the California Building Standards Commission.<sup>1</sup>

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<sup>1</sup> 2001 California Building Standards Administrative Code (Part 1, Title 24, C.C.R. Article 1-6).